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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,672	08/10/2001	Scott M. Serani	4173a	3721
26875	7590	07/01/2005	EXAMINER	
WOOD, HERRON & EVANS, LLP			SMITHERS, MATTHEW	
2700 CAREW TOWER				
441 VINE STREET			ART UNIT	PAPER NUMBER
CINCINNATI, OH 45202			2137	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/925,672	SERANI ET AL.
	<b>Examiner</b> Matthew B. Smithers	<b>Art Unit</b> 2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10 August 2001.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-43 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-11,14-21,24-28,30,35-39 and 42 is/are rejected.  
 7) Claim(s) 12,13,22,23,29,31-34,40,41 and 43 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11, 14-21, 24-28, 30, 35-39 and 42 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. 5,319,362 granted to Hyatt, Jr.

Regarding claim 1, Hyatt meets the claimed limitations as follows:

"In an interactive system for managing access via a global communications network by one or more users to a secured location comprising in combination:

an entry control device assigned for use in gaining access to said location by each said user;" see column 2, lines 5-24

"data processing means having a plurality of databases, each of said databases requiring a different level of access to said location; means for assigning a password to each said user corresponding to one of said levels of access;" see column 4, line 54 to column 5, line 10

"and each of said databases having one or more functions selectable by each said use according to said user's password." see column 4, line 54 to column 5, line 10 and column 6, lines 10-62.

Regarding claim 2, Hyatt meets the claimed limitations as follows:

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"In a system according to claim 1 wherein said devices are tangible items containing encoded criteria." see column 2, lines 5-24 (cards).

Regarding claim 3, Hyatt meets the claimed limitations as follows:

"In a system according to claim 2 wherein said encoded criteria are assigned to each said user." see column 2, lines 5-24 and column 4, line 54 to column 5, line 10.

Regarding claim 4, Hyatt meets the claimed limitations as follows:

"In a system according to claim 2 wherein said tangible items are selected from the group consisting of a key, access card, chip and bar codes." see column 2, lines 5-24.

Regarding claim 5, Hyatt meets the claimed limitations as follows:

"In a system according to claim 1 wherein said devices are intangible objects assigned to and in possession of each said user." see column 2, lines 5-24 (keys).

Regarding claim 6, Hyatt meets the claimed limitations as follows:

"In a system according to claim 5 wherein said objects are selected from the group consisting of code numbers, PIN numbers and code words or phrases." see column 2, lines 5-24 and column 6, lines 10-20.

Regarding claim 7, Hyatt meets the claimed limitations as follows:

"In a system according to claim 1 wherein said location includes an access way having a locking member which must be unlocked to gain access to said location." see column 3, lines 53-66.

Regarding claim 8, Hyatt meets the claimed limitations as follows:

"In a system according to claim 6 wherein said location includes a security system which requires one of said objects to gain access to information in said system." see Abstract, column 2, lines 5-47.

Regarding claim 9, Hyatt meets the claimed limitations as follows:

"In a system according to claim 1 wherein one of said different levels of access is selected from the group consisting of a key, card and padlock combination." see column 4, line 54 to column 5, line 10.

Regarding claim 10, Hyatt meets the claimed limitations as follows:

"In a system according to claim 1 wherein one of said different levels of access includes the ability to configure said device for said location." see column 2, lines 5-47.

Regarding claim 11, Hyatt meets the claimed limitations as follows:

"In a system according to claim 1 wherein one of said different levels of access includes the ability to determine which of said users is allowed access to one of said secured locations." see column 4, line 54 to column 5, line 10.

Regarding claim 14, Hyatt meets the claimed limitations as follows:

"In an interactive system for managing access via a global communications network by one or more users to one or more secured locations comprising in combination:

an entry control device assigned to each said location for use in gaining access by each said user;

data processing means having a plurality of databases whereby each of said databases has a different level of access to each said location

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means for assigning a password to each said user corresponding to one of said levels  
of access; and

access control means for maintaining said devices, locations and users in a real time mode." see Abstract, column 2, lines 5-24; column 4, line 54 to column 5, line 10 and column 6, lines 10-62.

Regarding claim 15, Hyatt meets the claimed limitations as follows:

"In an interactive system according to claim 14 wherein each said user is assigned a password to enable the user to gain access to said location and to define said level of access to each said data authorized for said user." see column 4, line 54 to column 5, line 10 and column 6, lines 10-62.

Regarding claim 16, Hyatt meets the claimed limitations as follows:

"In a system according to claim 14 wherein said device are tangible items containing encoded criteria, said encoded criteria being assigned to each said user, and said tangible items being selected from the group consisting of a key, access card, chip and bar codes." see column 2, lines 5-24 (cards).

Regarding claim 17, Hyatt meets the claimed limitations as follows:

"In a system according to claim 14 wherein said devices are intangible objects assigned to and in possession of each said user, and said objects are selected from the group consisting of code numbers, PIN numbers and code words or phrases." see column 2, lines 5-24 (keys); see column 4, line 54 to column 5, line 10 and column 6, lines 10-62.

Regarding claim 18, Hyatt meets the claimed limitations as follows:

"In a system according to claim 14 wherein each said secured location includes an access way having a locking device which must be unlocked to gain access to said secured location, and said secured location includes a security system which requires one of said devices to gain access to information in said system." see column 3, lines 53-66.

Regarding claim 19, Hyatt meets the claimed limitations as follows:

"In a system according to claim 14 wherein one of said different levels of access is selected from the group consisting of a key, card and padlock combination." see column 4, line 54 to column 5, line 10.

Regarding claim 20, Hyatt meets the claimed limitations as follows:

"In a system according to claim 15 wherein one of said different levels of access includes the ability to configure said device for said secured location." see column 2, lines 5-47.

Regarding claim 21, Hyatt meets the claimed limitations as follows:

"In a system according to claim 15 wherein one of said different levels of access includes the ability to determine which of said users is allowed access to said secured location." see column 4, line 54 to column 5, line 10.

Regarding claim 24, Hyatt meets the claimed limitations as follows:

"In a system according to claim 15 wherein said access control means is operative to display records of each of said devices for said location and to display information pertaining to ownership and other associated data for each of said devices." see column 3, lines 15-25.

Regarding claim 25, Hyatt meets the claimed limitations as follows:

"In a system according to claim 24 wherein said access control means is operative to display information relating to one of said devices which is lost or stolen." see column 3, lines 15-25.

Regarding claim 26, Hyatt meets the claimed limitations as follows:

"In a system according to claim 24 wherein said access control means is operative to display said data entries in real time." see column 3, lines 15-25.

Regarding claim 27, Hyatt meets the claimed limitations as follows:

"An interactive system for managing access by one or more users to at least one secured location wherein a key is assigned to said location for use in gaining access to a particular part of said location by each said user comprising in combination:

data processing means having a plurality of databases wherein each of said databases requires a selected level of access to said location;

means for assigning a password to each said user corresponding to one of said levels; and each of said databases having one or more functions selectable by each said user according to said user's password." see Abstract, column 2, lines 5-24; column 4, line 54 to column 5, line 10 and column 6, lines 10-62.

Regarding claim 28, Hyatt meets the claimed limitations as follows:

"A method for managing access by one or more users to an access control system for at least one secured location comprising the steps of:

assigning an entry control device to said location for use in gaining access by each said user; providing a plurality of databases wherein each of said databases

defines a different level of access to said location or to data relating to said location; assigning a password to each said user which corresponds to one of said levels; and providing one or more functions in each of said databases from which each said user can select." see Abstract, column 2, lines 5-24; column 4, line 54 to column 5, line 10 and column 6, lines 10-62.

Regarding claim 30, Hyatt meets the claimed limitations as follows:  
"The method according to claim 28 including the step of maintaining said devices, locations and users in a real time mode." see Abstract and column 3, lines 15-25.

Regarding claim 35, Hyatt meets the claimed limitations as follows:  
"The method according to claim 28 including the step of looking up in said database to determine if said user is authorized to have access to one of said levels of access." see column 4, line 54 to column 5, line 10.

Regarding claim 36, Hyatt meets the claimed limitations as follows:  
"The method according to claim 28 including the step of providing information relating to a device which has been found." see column 3, lines 15-25 (printouts).

Regarding claim 37, Hyatt meets the claimed limitations as follows:  
"The method according to claim 28 including the step of providing information relating to a device which has been lost." see column 3, lines 15-25 (printouts).

Regarding claim 38, Hyatt meets the claimed limitations as follows:  
"The method according to claim 37 including the step of providing information relating to said stolen device." see column 3, lines 15-25 (printouts).

Regarding claim 39, Hyatt meets the claimed limitations as follows:

"The method according to claim 28 including the step of providing information relating to current status of devices for said different levels of access at each said location." see column 3, lines 15-25 (printouts).

Regarding claim 42, Hyatt meets the claimed limitations as follows:

"The method according to claim 28 including the step of ordering one of said devices." see column 2, lines 5-24.

### ***Allowable Subject Matter***

Claims 12, 13, 22, 23, 29, 31-34, 40-41 and 43 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Miller, II (US 6,075,861) discloses a security access system where users authenticate by use of an ID and PIN combination.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew B. Smithers whose telephone number is (571) 272-3876. The examiner can normally be reached on Monday-Friday (8:00-4:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew T. Caldwell can be reached on (571) 272-3868. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Matthew B. Smithers  
Primary Examiner  
Art Unit 2137